

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KAREN S. DYE,

Plaintiff,

vs.

**ANDREW M. SAUL,
Commissioner of Social Security,**

Defendant.

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Case No. 4:19-CV-832 PLC

MEMORANDUM AND ORDER

This case is before the Court on Defendant Andrew Saul’s motion to reverse the decision of the administrative law judge (ALJ) and remand the case to Defendant pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). [ECF No. 16] Plaintiff has no objection and “requests that the Court grant Defendant’s motion to reverse and remand[.]” [ECF No. 17]

On April 5, 2019, Plaintiff filed a complaint seeking review of Defendant’s decision that Plaintiff was not under a disability within the meaning of the Social Security Act. [ECF No. 1] Defendant filed his answer and a transcript of the administrative proceedings. [ECF Nos. 6, 7] Plaintiff filed a brief in support of the complaint, as well as a statement of uncontroverted facts. [ECF Nos. 12, 13]

On October 7, 2019, Defendant filed the instant motion to reverse and remand the case for further action under 42 U.S.C. § 405(g), which permits the Court to “enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). Defendant states that the ALJ based her finding that Plaintiff was able to

perform her past relevant work as a radio announcer on the vocational expert's erroneous testimony that the job of radio announcer was sedentary. Defendant reasons that, because the Dictionary of Occupational Titles classifies the job of announcer as a light level job, not a sedentary level job, "[r]emand is needed to provide the ALJ an opportunity to obtain additional vocational expert testimony and further evaluate whether Plaintiff can perform past relevant work or other work."

Based on the record, the Court grants Defendant's unopposed motion to reverse the ALJ's decision and remand this matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

IT IS HEREBY ORDERED that Defendant's unopposed motion to reverse and remand [ECF No. 16] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this same date.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 21st day of October, 2019